

The opinion in support of the decision being entered today was *not* written for publication in a law journal and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALEX S. TAYLOR
and ERCAN E. KURUOGLU

Appeal 2007-0976
Application 09/981,835
Technology Center 2100

Decided: May 22, 2007

Before KENNETH W. HAIRSTON, ANITA PELLMAN GROSS,
and JOHN A. JEFFERY, *Administrative Patent Judges*.

GROSS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Taylor and Kuruoglu (Appellants) appeal under 35 U.S.C. § 134 from the Examiner's final rejection of claims 1 through 7, 9 through 16, 18, and 19, which are all of the claims pending in this application.

Appellants' invention relates to a system and method for linking annotated words in a source document to the same words in a target document and annotating the words in the target document in the same manner as in the source document. Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A system for processing documents stored in a database, the documents including a source document and a target document, the system comprising:

a storage device for storing a plurality of words, each of the plurality of words stored as a result of being annotated in the source document;

a search device for identifying whether any of the words present in the storage device are present in the target document; and

an annotation device for annotating said words located in the target document in the same manner that they were annotated in the source document;

wherein the source document and the target document are pre-selected from the database as the source document and the target document by a user of the system before the source document is annotated.

The prior art references of record relied upon by the Examiner in rejecting the appealed claims are:

Daryl T. Lawton & Ian E. Smith, *The Knowledge Weasel Hypermedia Annotation System*, Hypertext '93 Proc., 106-117 (1993). (Lawton)

Morgan N. Price, Gene Golovchinsky, & Bill N. Schilit, *Linking By Inking: Trailblazing in a Paper-like Hypertext*, HyperText 98, 30-39 (1998). (Price)

Gene Golovinsky, Morgan N. Price, & Bill N. Schilit, *From Reading to Retrieval: Freeform Ink Annotations as Queries*, SIGIR '99, 19-25 (1999). (Golovinsky)

Claims 1 through 7, 9 through 16, 18, and 19 stand rejected under 35 U.S.C. § 103 as being unpatentable over Price in view of Golovchinski and Lawton.

We refer to the Examiner's Answer (mailed September 29, 2006) and to Appellants' Brief (filed June 12, 2006) and Reply Brief (filed October 23, 2006) for the respective arguments.

SUMMARY OF DECISION

As a consequence of our review, we will affirm the obviousness rejection of claims 1 through 7, 9 through 16, 18, and 19.

OPINION

As a preliminary matter, we note that Appellants argue all of the claims together. Accordingly, we will treat the claims as a single group, with claim 1 as representative.

The Examiner admits (Answer 6) that Price fails to disclose expressly that the source and target documents are pre-selected by the user before the source document is annotated. The Examiner (Answer 6) asserts that Lawton teaches pre-selecting a target file and that it would have been obvious to modify Price with the teachings of Lawton.

Appellants contend (Br. 10-12 and Reply Br. 1-4) that modifying Price to have the user pre-select the target document before annotating the source document would render Price unsuitable for its intended purpose and change the principle of operation. All of Appellants' arguments are directed to the contention that Price cannot be modified. The only issue before us,

therefore, is whether Price can be modified to have the target document pre-selected before the source document is annotated.

As summarized in the abstract, Price discloses (Price 30) a reader annotating images using a pen computer and the computer constructing hypertext links based on the ink marks. The system "extracts the text near free-form ink marks, uses these terms to construct queries, executes queries against a collection of documents, and unobtrusively displays links to related documents in the margin or as 'further reading lists.'" Thus, as stated by Appellants (Br. 10), Price describes a system in which target documents are located from a database based on a search formed from annotations made. However, Price additionally discloses (Price 36-37), "We would also like to extend XLibris to support multiple document tasks. Document work often involves the use of several documents together [1]. In the context of gathering information, people need to compare sources [35], to take notes [37], and to write reports [29, 35]." In other words, Price suggests using the system with two or more known documents and creating links from one to another to compare the two documents. Accordingly, since Price suggests using the system with pre-selected documents, Price can be modified to have the target document pre-selected before the source document is annotated. Further, the teachings of Lawton and Golovchinski are merely cumulative. Therefore, we will sustain the obviousness rejection of claims 1 through 7, 9 through 16, 18, and 19 over Price, Lawton, and Golovchinski.

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ORDER

The decision of the Examiner rejecting claims 1 through 7, 9 through 16, 18, and 19 under 35 U.S.C. § 103 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

KIS

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